

## PERMIT TERM 200

*Title:* FISH & WILDLIFE PROTECTION BYPASS TERM

*When used:* Whenever a bypass term is needed for fish and wildlife protection and there is no special term for a stream system. Choose the most appropriate version to customize for each stream. Whenever possible, a passive bypass structure is usually preferable to a streamflow measuring device.

*Term:*

a) For the protection of fishery resources, Permittee shall bypass a minimum of sixty percent (60%) of the average annual runoff of **stream name**<sup>1</sup>, or **amount** cubic feet per second. The total streamflow shall be bypassed whenever it is less than the designated rate.

*or*

b) For the protection of fisheries, wildlife, and other instream (and public trust) uses in the **stream name**, diversions under this permit shall be subject to maintenance of minimum bypass flows in **stream name**:

1. From **date to date**, **amount** cubic feet per second;
2. From **date to date**, **amount** cubic feet per second;
3. From **date to date**, **amount** cubic feet per second; *as measured?* for as many periods as necessary.

To be used with either a) or b) above: No diversion shall take place under this permit if the flow in **stream name** is, or would be reduced by such diversion, below the designated rates. To ensure compliance with this condition, by **date** of each year Permittee shall file a report with the Chief, Division of Water Rights, containing the following information:

- a. Dates during the previous period of **date to date** when water was diverted under this permit; and
- b. Flows measured in **stream name** under this permit during the same period.

a) No water shall be diverted under this permit until the Permittee has installed a structure in **stream name**, satisfactory to the State Water Resources Control Board, which is capable of passively bypassing the flow(s) required by the conditions of this permit. Permittee shall submit plans and specifications of the bypass structure to the Chief of the Division of Water Rights, within six-months of the date the permit is issued. The plans for bypass structure shall be reviewed and must be satisfactory to the Chief, Division of Water Rights, before any construction is undertaken. Permittee shall furnish evidence which substantiates that the bypass structure has been installed, within sixty (60) days from the date of approval of the water right permit. If the bypass structure is rendered inoperative for any reason, all diversions shall cease until such time as it is restored to service. Said bypass structure shall be properly calibrated, operated, and maintained by the Permittee (or successors-in-interest) as long as any water is being diverted under any permit or license issued pursuant to Application **NUMBER**.

*or*

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b) No water shall be diverted under this permit until the Permittee has installed a device in **stream name**, satisfactory to the State Water Resources Control Board, which is capable of measuring the bypass flow(s) required by the conditions of this permit. Permittee shall submit plans and specifications of the streamflow measuring device to the Chief of the Division of Water Rights, within six-months of the date the permit is issued. The device and the location of the monitoring station shall be reviewed and must be satisfactory to the Chief, Division of Water Rights, before any construction is undertaken. Permittee shall furnish evidence which substantiates that the streamflow measuring device has been installed, within sixty (60) days from the date of approval of the water right permit. If the measuring device is rendered inoperative for any reason, all diversions shall cease until such time as the device is restored to service. Said measuring device shall be properly calibrated, operated, and maintained by the Permittee (or successors-in-interest) as long as any water is being diverted under any permit or license issued pursuant to Application **NUMBER**.

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